

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

APRIL 19, 2005

COUNTY COMMISSIONERS

**Jennifer Hill, Chairman
Catherine C. Hanson, Vice Chairman
Robert A. Pool, District #2
Debbie Stivender, District #3
Welton G. Cadwell, District #5**

**Cindy Hall, Interim County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

April 19, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

III. CLERK OF COURT'S CONSENT AGENDA

Tab 1 Approval of Clerk of Courts' Consent Agenda (Items 1 through 11):

1. Contractor Bonds – New and Cancellations – Approve.
2. Received the Annual Financial Audit for 2003-2004 and Annual Financial Report for the Lake County Water Authority - Acknowledge receipt.
3. Received Notice of Application for Original Water and Wastewater Certificates – Notice is hereby given on the 21st day of March 2005, pursuant to Section 367.045, Florida Statutes, and Section 25-30.030, Florida Administrative Code, of Central Sumter Utility Company, L.L.C., 1020 Lake Sumter Landing, The Villages, Florida, 32159, Application for Original Water and Wastewater Certificates for described territory in Sumter County, Florida. Any objections can be filed, as described in notice – Acknowledge receipt.
4. Received a CD copy of the St. Johns River Water Management District's Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2004 – Acknowledge receipt.

5. Received a copy of Ordinance Number 492-M, from the City of Clermont, for the annexation of a certain parcel of land contiguous to the present city boundaries, as described, passed and ordained on Final Reading the 8th day of March 2005, by the City Council of the City of Clermont, Florida – Acknowledge receipt.
6. Received a copy of the City of Eustis' Comprehensive Annual Financial Report for the fiscal year ended September 30, 2004 – Acknowledge receipt.
7. Received a Public Notice – Pursuant to Section 163.346, Florida Statutes, the City of Mascotte, Florida, does hereby give public notice of its intention to adopt an ordinance creating and establishing a community redevelopment agency, as described in Resolution Number 2005-02-249 adopted by the Mascotte City Council on February 14, 2005, to be considered on April 11, 2005, beginning at 6:30 p.m. or as soon thereafter as possible, at the Mascotte Civic Center located at 121 North Sunset Avenue, Mascotte, Florida – Acknowledge receipt.
8. Received a copy of Report Number 2005-161, an Operational Audit of the County Wireless E911 Funds for the Period October 1, 2002 through September 30, 2003 – Acknowledge receipt.
9. Received from Governing Board, Southwest Florida Water Management District, minutes of January 25, 2005, meeting held in Bartow, Florida; and agenda for Governing Board Meeting to be held March 29-30, 2006, 9:00 a.m., 2379 Broad Street, Brooksville, Florida – Acknowledge receipt.
10. Before the Florida Public Service Commission, Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc., Office of Public Counsel and All Other Interested Persons, Docket Number 041414-EI, Petition for Approval of Long-Term Fuel Supply and Transportation Contracts for Hines Unit 4 and Additional System Supply and Transportation, by Progress Energy Florida, Inc.; information on location of hearings included in Notice – Acknowledge receipt.

11. Received the following Ordinances from the City of Mascotte:

Ordinance Number 2005-13-376 – Amending the Code of Ordinances, Chapter 6; Elections; By Adding a New Section 6-7, Early Voting Opt Out Provisions; Repealing All Ordinances or Parts of Ordinances in Conflict Herevity, Providing for Severability, and an Effective Date; Passed and Adopted March 28, 2005.

Ordinance Number 2005-03-377 – Annexing Certain Real Property into the City of Mascotte, Florida, Upon the Voluntary Petition of the Owner of all of the Property to be Annexed, Filed with the City of Mascotte by Flagship Development LLC (Weber Property); (as described further in the Ordinance); Passed and Adopted March 28, 2005.

Ordinance Number 2005-03-379 – Annexing Certain Real Property into the City of Mascotte, Florida, Upon the Voluntary Petition of the Owner of All of the Property to be Annexed, Filed with the City of Mascotte by Lorene Leininger, Chester W. Leininger and Kerri S. Leininger; (as further described in the Ordinance); Passed and Adopted March 28, 2005 – Acknowledge receipt.

RECOMMENDATION: Approval

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 2 through 20)

A. Budget

Tab 2

1. Budget transfer – Landfill Enterprise Fund, Department of Environmental Services, Covanta Contract Management Division, in the amount of \$819,250.00 is requested. Funds needed for new software required for scanning Covanta documents, to repair tipping floor camera for Covanta monitoring, for promoting Covanta/Lake County public – private partnership, and to return unused litigation funds to Reserve for Operations. Funds available in Travel & Per Diem, Professional Services, and Contractual Services not needed because of the contract settlement.

RECOMMENDATION: Approval

2. Budget transfer – County Transportation Trust Fund, Department of Public Works, Road Operations/ Engineering/ Special Services Divisions, in the amount of \$979,660.00 is requested. Transfer \$979,660.00 from Reserve for Operations to Overtime – Road Operations (\$120,000.00), Personal Services – Engineering (\$18,000.00), Personal Services – Special Services (\$1,600.00), and LAP Projects – CR 48 (\$840,060.00). Funds needed to increase the Road Operations overtime account; to fund the possible reorganization of the Engineering Division; to fund the possible upgrade for three support staff positions; and fund the CR-48 LAP Agreement that was approved by the BCC on January 25, 2005. Funds available in Reserve for Operations.

RECOMMENDATION: Approval

3. Budget transfer – Building Services Fund, Department of Growth Management, Building Services Division, in the amount of \$64,000.00 is requested. Transfer \$64,000.00 from Professional Services to Repair & Maintenance. The Building Services Division is in need of a higher degree of maintenance and service for the permitting/ inspection/ code enforcement/ development review modules of CD-Plus due to the increase of permitting activity and the direction of internet permitting and plan review. The current Gold Plan allows for 45 hours per month. The Diamond Plan will allow 160 hours per month and will include all CD-Plus modules. Funds available in Professional Services.

RECOMMENDATION: Approval

4. Approval of Check Request (Direct Pay) from the Sheriff's Office for payment of inmate medical invoice. The request exceeds the County Manager's approval limit of \$25,000.00. Total payment is for \$51,429.00.

RECOMMENDATION: Approval

B. Community Services

Tab 3 Approval for the Board of County Commissioners to serve as the coordinator for local governments in Lake County in the Byrne Memorial Justice Assistance Grant application process; signature on the "Certificate of Participation" document; and designation of Robbie Hollenbeck to identify and convene on behalf of the BCC any required advisory board members and meetings, the preparation of the application and/or other required documents or grant processes.

RECOMMENDATION: Approval

C. Growth Management

Tab 4 Approval and execution of a Satisfaction and Release of Fine for property owned by William & Maralyn Barney, CEB Number 2004040216.

RECOMMENDATION: Approval

Tab 5 Approval and execution of a Satisfaction and Release of Fine for property owned by Ilar & Erman Drew, CEB Number 222-99.

RECOMMENDATION: Approval

Tab 6 Approval and execution of a Satisfaction and Release of Fine for property owned by John C. & Alfreida Anderson, CEB Number 18-94.

RECOMMENDATION: Approval

Tab 7 Approval and execution of a Satisfaction and Release of Fine for property owned by Mary Faith Bylsma and Kathryn Mayotte, CEB Number 46-00.

RECOMMENDATION: Approval

Tab 8 Approval and execution of a Satisfaction and Release of Fine for property owned by Houston & Jane Busby, CEB Number 362-00.

RECOMMENDATION: Approval

Tab 9 Approval of purchase of a v890 to replace the original GIS Sun 450 server that was purchased in 1997, the old server will be given to Building Services as a backup to their Sun 450 server; and approval of Capital Substitution Form in the amount of \$42,775.00.

RECOMMENDATION: Approval

Tab 10 Approval of the creation of Public Lands Manager position within Growth Management Department to support Public Lands Acquisition Advisory Council and County's Environmental Lands Program.

RECOMMENDATION: Approval

D. Public Safety

Tab 11 Approval to for the Lake County Manager to apply for a grant in the amount of \$515,000.00 through the Hazard Mitigation Grant Program (HMGP) for initiatives/projects identified in the Local Mitigation Strategy (LMS).

RECOMMENDATION: Approval

Tab 12 Approval to transfer some reserve funds from wire and wireless accounts to Capital Outlay (640 Account) for E911 hardware and software additions per Agencies requests with a Fiscal Impact of \$74,283.00.

RECOMMENDATION: Approval

E. Public Works

Tab 13 Approval and authorization to release a Letter of Credit for Performance in the amount of \$1,430.00 posted for Western Pines Phase 2. Western Pines Phase 2 consists of 10 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 14 Approval and authorization to accept the final plat for Eldorado Groves and all areas dedicated to the public as shown on the Eldorado Groves plat. Eldorado Groves consists of five lots – Commission District 4.

RECOMMENDATION: Approval

Tab 15 Approval and authorization to accept the final plat for Beauclair Ranch Club and all areas dedicated to the public as shown on the Beauclair Ranch Club final plat; accept a Performance Bond in the amount of \$1,127,869.44; and execute a Developer's Agreement for Construction of Improvements between Lake County and Florida & Ranches, Inc. Beauclair Ranch Club consists of 87 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 16 Approval and authorization to accept the final plat for Las Colinas Phase II and all areas dedicated to the public as shown on the Las Colinas Phase II final plat; accept a Letter of Credit in the amount of \$132,747.98; and execute a Developer's Agreement for Construction of Improvements between Lake County and Sonoma Hills, Inc. Las Colinas Phase II consists of 104 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 17 Approval and execution of a Purchase Agreement with Altamese Boxier for a parcel of land to be used for a water retention area, in conjunction with the C-466 Road Project in the Lady Lake area.

RECOMMENDATION: Approval

Tab 18 Approval and execution of a Purchase Agreement with Dwight D. Litson and Margaret Litson for right of way, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the South Dewey Robbins Road Paving Project located in the Howey-in-the-Hills area.

RECOMMENDATION: Approval

Tab 19 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition Number 1051 by Allan M. and Ellen L. Muller, Representative Mary Ludwig, to vacate a utility easement, in the Plat of Pennbrooke Phase IA, located in Section 19, Township 19 South, Range 24 East, in the Leesburg area – Commission District 1.

RECOMMENDATION: Approval

Tab 20 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition Number 1049 by Ginn Pine Island, GP, LLC, Representative Xabier Guerricagoita, to vacate easement, in the Plat of Lake Highland Co., in conjunction with the platting of Bella Collina, located in Section 10, Township 22 South, Range 26 East, in the Montverde area – Commission District 3.

RECOMMENDATION: Approval

V. PRESENTATIONS/PUBLIC HEARINGS

A. PRESENTATION – 9:00 A.M. or as Soon Thereafter

1. PRESENTATION

PRESENTATION: Comprehensive Annual Financial Report (CAFR) by the County's External Auditors, Ernst & Young, Including Various Audit Reports

Tab 21 **PRESENTATION:** Proclamation declaring April to be Child Abuse Prevention Month in Lake County

PRESENTATION: Introduction by Lee Johnson, TransformU, of their Robotics Team

B. PUBLIC HEARINGS – 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARINGS

Tab 22 **PUBLIC HEARING:** Special Assessment Project Number 94 (Forest Drive "Part", Laurel Court, and Hillcrest Drive "Part") (*Rescheduled from BCC Meeting of March 15, 2005*)

Tab 23 **PUBLIC HEARING:** Ordinance for Adoption of Joint Land Development Regulations (LDRs) with the City of Clermont

PUBLIC HEARING: Mid – Year Budget Amendment
(Back up to be distributed under separate cover)

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

VII. OTHER BUSINESS (Tabs 24 through 27)

Tab 24 Appointment of individuals to upcoming vacant positions on the Parks and Recreation Advisory Board.

Tab 25 Appointment of Terry Miller as Lake Technical Center's representative on the Lake County Industrial Development Authority.

Tab 26 Appointment of Tommy Crosby as the Lake County Schools representative on the Lake County Impact Fee Committee.

Tab 27 Appointment of individuals to vacant positions on the Lake County Citizens' Commission for Children.

VIII. REPORTS

A. County Attorney

B. County Manager

C. **Commissioner Hill – Chairman and District #1** (Tab 28)

Tab 28 Approval and execution of Proclamation designating the month of May as Civility Month.

D. **Commissioner Pool – District #2**

E. **Commissioner Stivender – District #3**

F. **Commissioner Hanson – District #4**

G. **Commissioner Cadwell – District #5**

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Public Works at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

APRIL 26, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

MAY 3, 2005

9:00 A.M. Regular Meeting

5:05 P.M. PUBLIC HEARING: Ordinance for Adoption of Joint Land Development Regulations (LDRs)
or as Soon with the City of Clermont (Final Hearing)
Thereafter

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TENTATIVE AGENDA

MAY 10, 2005

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

MAY 17, 2005

9:00 A.M. Regular Meeting

9:00 A.M. PUBLIC HEARING: Substantial Amendment to the Federal Fiscal Year 2004-2008
or as Soon Community Development Block Grant Consolidated Plan
Thereafter

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TENTATIVE AGENDA

MAY 24, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

JUNE 7, 2005

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

JUNE 14, 2005

9:00 A.M. Regular Meeting/Tentative

9:00 A.M. PUBLIC HEARING: Transmittal Hearing for Comprehensive Plan Amendments
or as Soon
Thereafter

9:00 A.M. WORKSESSION: Dirt Road Inventory
or as Soon
Thereafter

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